nominating notaries public for certain counties.

On motion of Senator Terrell, The Senate adjourned until tomorrow morning at 10 o'clock.

FOURTEENTH DAY.

SENATE CHAMBER, A AUSTIN, TEXAS, January 26, 1887. The Senate met pursuant to adjournment.

Lieutenant Governor Wheeler in the

chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot. On motion of Senator Burges,

The reading of the Journal of yesterday was dispensed with.

PETITIONS AND MEMORIALS.

BY SENATOR HARRISON.

Protest of some of the business men of Waco against the passage of the bucket shop bill.

Referred to Judiciary Committee

No. 2.

BY SENATOR UPSHAW.

Protest of citizens of Cleburne against the passage of the bill relative to charges for the use of telephones.

Referred to Committee on Internal

Improvements.

BY SENATOR JARVIS.

Same from citizens of Fort Worth. Referred to same committee.

BY SENATOR BURNEY.

Same from citizens of San Antonio. Referred to same committee.

BY SENATOR CLAIBORNE.

Same from citizens of Galveston. Referred to same committee.

REPORTS OF STANDING COM-MITTEES.

BY SENATOR FRANK:

COMMITTEE ROOM, AUSTIN, January 25, 1887. Some T. B. Wheeler, President of the Senate:

S'r-Your Committee on Engrossed

Bills have carefully examined and compared Senate bill No. 85, being an act to be entitled "An act to estab-

lish and organize the county of Mills, and find the same correctly engrossed.

FRANK, chairman.

COMMITTEE ROOM, AUSTIN, January 25, 1887.

Hon. T. B. Wheeler, President of the Senate:

Sir-Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 45, being an act to amend an act entitled "An act to amend Article 3602, chapter 10, title 71, of the Revised Civil Statutes of the State of Texas," relating to the hiring of county convicts, approved May 4th, 1882, and find the same correctly engrossed.

FRANK, chairman.

COMMITTEE ROOM, AUSTIN, January 25, 1887

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 74, being an act to be entitled "An act to provide for the relieve of citizens of Texas, suffering by reason of the drouth, to make an appropriation therefor, and to prescribe the manner in which it shall be distributed, and find the same correctly engrossed.

Frank, chairman.

COMMITTEE ROOM, AUSTIN, January 25, 1887.

Hon. T. B. Wheeler, President of the Senate

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 12, being an act entitled "An act to amend Article 617, chapter 2, Code of Criminal Procedure of Texas," and find the same correctly engrossed.

FRANK, chairman.

COMMITTEE ROOM, AUSTIN, January 25, 1887.

To Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed bills have carefully examined and compared Senate bill No. 52, being "An act to provide for the separation of pastures or adjoining fences, and to prescribe a penalty for a violation of the provision of this act," and find the same correctly engrossed.

FRANK, chairman.

COMMITTEE ROOM, Hon. T. B. Wheeler, President of the

Senate.

Sir—Your Committee on Engrossed Bill have carefully examined and compared Senate bill No. 31, being an act entitled "An act to amend Article 1636, of the Revised Civil Statutes of Texas, adopted by the regular session of the Sixteenth Legislature." and find the same correctly engrossed.

FRANK, chairman.

BY SENATOR HARRISON,

By consent, the following report: COMMITTEE ROOM.

Austin, January 25, 1887. Hon T. B. Wheeler, President of the

Sir-Your Committee on Counties and County Boundaries, to whom was referred House bill No. 23, being "An act to create the county of Brewster," have considered the same, and instruct me to report it back with the recommendation that it do pass.

HARRISON, chairman The bill was read first time

BILLS AND RESOLUTIONS.

BY SENATOR FIELD.

"An act to diminish the civil jurisdiction of the county court of Brazos county, and to conform the jurisdiction of the district court of said county to such change."

Referred to Judiciary Committee

No. 1.

"An act to legalize and validate the ordinances of cities and towns, where said ordinances impose a fine for their violation, and have not been published in the official journals as required by law, and to give force and effect to the same."

The bill provides that in towns and cities where there are no daily papers that ordinances printed in pamphlet form, and distributed the time required by law, shall be legalized.

Referred to Judiciary Committee

"An act to authorize the appointment of inspectors of illuminating oils

and fluids.

The bill provides that the Governor shall appoint for each county containing a population of 1000 or more, a competent and qualified inspector of sine oil, gasoline, or other products propriating \$20,000 therefor."

used for illuminating or burning fluid. offered for sale 10 the State, etc., etc.

Referred to Juliciary Committee No. 1.

BY SENATOR CALHOUN.

An act entitled "An act to amend chapter 4, title 7, of the Code of Criminal Procedure of the State of Texas, by adding Article 451a immediately after Article 451, prescribing the manner in which notice shall be given to defendants before amending a reco-nizance, bail-bond or judgment declaring the forteiture of a reconizance or bail-bon l.'

The bill provides that before a forfeiture on a recognizance or bail bond, the State's attorney shall file among the papers, at least one day before forfeiture is taken, a motion in writing praying the forfeiture, which motion shall constitute sufficient notice to all the defendants.

Referred to Judiciary Committee

No. 2.

MESSAGE FROM THE HOUSE.

A message was received from the House announcing the passage of Sena e House bill No. 23, "An act to create the county of Brewster and provide for its organization," and also the passage of Senate House bill No. 16, "An act to amend section 1 of an act entitled 'an act to protect mechanics, laborers and operatives on railroads against the failure of owners, contractors and sub-contractors or agents, to pay their wages when due, an I provide a lien for such wages, approved February 18, 1879."

Referred to Judiciary Committee

No. 1.

Also, that the House concurs in Senate amendments to House concurrent resolution No. 2, providing for the appointment of a joint committee to visit the State Peuitentiaries.

WILL LAMBERT, Chief Clerk House of Representatives. On motion of Senator Burney,

The Senate bill to create the county of Brewster, was referred to Committee on Counties and County Boundaries.

BY SENATOR BURNEY.

By consent "An act entitled 'an act to provide for the better protection of stock raising, and to provide for the coal oil, carbon oil, petroleum, kero extermination of wild beasts and apThe bill places premiums upon the scalp of Mexican lion, congor and panther, \$5 per head each; wolf, \$1.50 each; wild cat and coyote, \$1 each; provided, the person killing the same shall, within thirty days from time of killing, file affidavit of the same, giving time and place of the killing, and shall present the scalp to the county judge of the county in which he lives.

Referred to Committee on Stock and

Stockraising.

SPECIAL ORDER.

Senate joint resolution to raise a Senate or joint committee to investigate action of corporations and the providing of a bill upon the subject, was taken up as special order, and

On motion of Senator Claiborne.

The resolution was read, together with the report of the committee on

the resolution.

Senator Claiborne stated that the object in pre-enting the resolution was to get a comprehensive railway measure covering the entire ground Seriate' before the asearly practicable; bill day $\mathbf{a}\mathbf{s}$ that would not be radical, or against railroads, interests of stop the building of railroads in our State, yet one that would remove the causes, if any exist, that have been charged by 390,000 people of Texas, who are the producers.

Senator Harrison made the point of order that the committee recommended that the bill be considered by the committee of the whole, and there is noth-

ing before the Senate.

The President—The report of the

committee is before the house.

Senator Claiborne moved the adoption of the committee report referring the resolu ion to the committee of the whole.

Carried.

BY SENATOR GLASSCOCK.

By consent.

A bill to be entitled "An act to reg ulate the practice of architecture, and to provide a penalty for the provisions thereof."

The bill provides that it shall be unlawful for any person to practice architecture without first obtaining license; the Governor shall appoint a board of five examiners, to be chosen from among the Texas State Association of Architects, and who shall have practiced the profession at least seven years, etc., etc.

Referred to Judiciary Committee

Senator Pope, at request of Senator Claiborne, moved to go into committee of the whole on the resolution just read.

The President decided that the pending business was Substitute Senate bill No. 74, providing for the relief of the drouth sufferers, on its final passage.

The following message from the Governor was received, read and ordered printed in the Journal:

> EXECUTIVE OFFICE. Austin, January 24, 1887.

To the Senate of the State of Texas:

I ask the advice and consent of the Senate to the appointment of notaries public in the various counties, as follows, to-wit:

BEXAR.

Edward Niles, J. N. Groesbeck, J. F. Nullally, San Antonio.

BOSQUE.

Charles M. Betts, Walnut Springs. N. S. Greer, Kopperl.

CHEROKEE.

John W. Smith, C. A. Wade, Gent Postoffice.

Thos. S. Townsend, Forest.

Jas. P. Gibson, Rusk. R. H. Childers, Cherokee county.

Nat. Hillin, Lone Star.

A. J. Chessher, Jacksonville.

R. A. Ewing, Mount Telman.

COLLIN.

R. T. Shelton, Plano. K. R. Craig, McKinney.

DALLAS.

Edward Gray, Joseph W. Moore, Dallas.

DENTON.

L. Fulton, Denton.

DE WITT.

J. N. Edgar, T. M. Dodd, Concrete.

FALLS.

J. V. Wright, Reagan.

FANNIN.

E. I. Agnew, James C. Evans, John A. Bumard, Bonham. R. Y Piner, Honey Grove.

TRIO.

J. McDevitt. Moore Station. Daniel T. Price, Pearsall.

GALVESTON.

Gerhard E. Salecath John Friery, Galveston.

GOLIAD.

C. H. Maris, Goliad.

GRAYSON.

J. D. Crenshaw, Sherman.

GUADALUPE.

Robert McNutt, Kingsbury.

HAMILTON.

R. L. Shive. Shive postoffice.

HARRIS.

George L. Price, O. C. Drew, Hous-H. L. Gillette, Cedar Bayou.

HILL.

J. S. Bounds, Hubbard City.

J. Y. Armstrong, Irene.

G. D. Tarlton, Hillsborough.

J. H. Harrison, Hillsborough.

A. Thames, Blum.

S. C. Morgan, Hubbard City.

S. H. Prewitt, Aquila. James A. Hill, Peoria.

James A. Fill, Feoria.
J. H. Litt'efield, Hillsborough.
J. B. Murphy, Itasca.
J. J. Scrivener, Fort Graham.
F. T. Jordan, J. G. Abney, W. L.
Booth, J. M. Johnson, Clifford Moorman, Thomas H. Dizon, W. C. Weir, Hillsborough.

HOOD.

W. A. Duke, R. C. Milliken, Granbury.

JOHNSON.

Hiram C. Gardner, Grandview.

J. B. Westbrooks, J. J. Ramsey, G. H. Maxey, J. M. Odell. O. Y. Beard, John R. Rausome, C. Y. Kuatz, W. M. Scurlock, L. Heard, S. M. Sayton, Cleburne.

W. M. St. John, S. N. Horner, W.

E. Knox, Alvarado.

F. M. Davis, W. T. Matthews, Pleasant Point.
J. T. Wade, Grandview.

JONES.

S. P. Stanford, Apilene.

KENDAL.

Fred Hofheinz, Guadalupe postoffice.

KIMBLE.

A. J. Wilson, Junction City.

KNOX.

J. M. Morgan, Benjaman

LAMAR.

B. J. Baldwin, jr., Paris.

LIMESTONE.

N. S. Waller, Mexia.

MADISON.

A. M. Hill, Rogers Prairie.

MASON.

Charles Bierchwall, Calvin Thaxton, Franz Bernhardt, Mason. John O. Meusebach, Loyal Valley.

M'LENNAN.

W. C. O'Brien, McGregor.

F. N. Mitchell, John E. Oldright, Waco.

E. T. Steele, West.

S. L. Samuels, Stark West, J. R. Downs, B. D. Owen, Waco.

MONTAGUE.

M. B. Hoskins, Bowie.

NAVARRO.

D. N. Rice, A. B. Lee, A. C. McMullen, S. H. Kerr, W. J. Gibbs, Corsicana.

PARKER.

H. M. Harrison, Milsap.

PALO PINTO.

Ed. C. Baker, Palo Pinto.

RED RIVER.

David Rainey, David C. Whiteman, C. A. Worley, Clarksville, F. M. Harris, Xenophon Cowan,

Manchester.

D. B Moore, Woodland.

Jas. A. Martin, John W. Styles, Elk-

W. W. Lawson, W. C. Daniels,

Anona.

William Blake, Wm Giddens, Otis. Nat. Draughn, Bagwell. Samuel McGill, Cut Hand.

Neil Hourson, T. M. Smith. Rosalie. Rufus Turner, J. J. Perdue, Fulbright.

Wm Beaty, Box Elder. N. P. Donk, Albert Taylor, Clarksville.

H. V. Dodd, Rosalie.

RUNNELS.

A. S. Reed, Ballinger.

SAN SABA.

Seth M. Moore, Bend.

TARRANT.

T. C. Andrews, Zane Citti, W. R. Booth, Fort Worth.

TAYLOR.

Ed. Curd, John G. Currie, S. P. Stanford, Abilene.

TITUS.

W. A. Keith.

TOM GREEN.

A. McGregor jr., J. T. Tolbert, San Angelo.

VICTORIA.

J. E. Carpenter, N. A. Thomson, A. B. Peticolas.

WASHINGTON.

William Ewing, Brenham.

WEBB.

A. L. McLane

E. A. Artee.

J. O. Nicholson. C. C. Pierce. Juan V. Benavides.

S. F. Foster.

J. L. Bartlett.

WOOD.

J. M. Langford, Winsboro. J. H. Williams, Andrews. D. W. Cron, Quitman.

ZAPATA.

James Downing, Leonard Haynes.

Respectfully, L. S. Koss, Governor of Texas.

MESSAGE FROM THE HOUSE.

The Chief Clerk announced that the House had adopted the following resolution:

Resolved, That the Senate be invited to meet the House in joint session at 12 o'clock m. to-day, for the purpose of electing a United States Senator.

On motion of Senator Woods, the ayes and nays were called on Senate

bill No. 74.

After the vote had been taken, the announcement of the result was sus-

pended.

Senator Terrell stated that as the bill had received a majority of the votes of the Senate, he was willing to change his vote to aye, in order that the bill might take effect at once.

Senators Claiborne and Davis stated that they desired to change their votes from nay to aye, for the same reason as given by Senator Terrell, and re-quested to have their reasons for so voting spread upon the Senate Journal.

We change our vote from nay to yea on the passage of the bill to appropriate money to aid the drouth sufferers, for this reason:

Before the change in our votes the majority in the Senate had already voted in favor of the appropriation. We change to make that inajority two thirds, so that the bill may go into immediate effect, and the aid thus rendered not be postponed until ninety days after adjournment of the Legislature. While we believe that the aid should not have been granted, we recognize the fact that the bill has a majority of the Senate in its favor, and if aid is to be given at all, it should be given at once.

J. O. TERRELL, W. W. DAVIS,

L. A. ABERCROMBIE, J. L. CAMP.

Senator Wood demanded that the result of the vote be announced.

Senator Houston requested the President to have his vote recorded aye.

Senator Woods made the point of order that Senator Houston was not within the bar of the Senate when the question was put, and therefore had no right to vote.

The President overruled the point

of order.

Senator Woods appeared from the

decision of the Chair.

Senators Terrell and Burges spoke in favor of sustaining the decision of the President.

Senator Pope made the point of order that a point of order is not debatable.

Senator Terrell stated that some of the greatest debates of our times have been upon points of order.

Senator Glasscock spoke in support

of the decision of the Chair.

Senator Armistead inquired if Jefferson's manual was not to control in the absence of any rule laid down for the direction of the Senate, and suggested that it required members to be within the bar of the House when the question was put in order to be entitled to vote.

Senator Terrell thought the rule related only to Senators voting without

the bar of the House.

The ayes and nays were called for.

The decision of the President was sustained by the following vote:

YEAS-25.

Abercrombie, Glasscock, Harrison, Armistead, Houston. Bell. Jarvis, Burges, Knittle, Burney, Calhoun, Lane, Camp, MacManus, Pope. Davis, Douglass of G, Simkins, Field, Stinson, Terrell, Frank, Upshaw. Garrison, Woodward.

NAYS-4.

Douglass of J, Gregg,

McDonald, Woods.

The vote upon the final passage was then announced as follows:

YEAS-21.

Abercrombie, Claiborne, Bell, Davis, Burges, Field, Burney, Calhoun, Garrison, Camp, Glasscock,

Houston, Simkins, Jarvis, Terrell, Lane, Upshaw, MacManus, Woodward. Pope,

NAYS-8.

Armistead, Harrison, Douglass of J, McDonald, Stinson, Gregg, Woods.

ABSENT-none.

Senator Harrison stated that he and Senators Aberdrombie, McDonald and Stinson desired to spread on the minutes their reasons for voting nay on the final passage of the bill for the relief of the drouth sufferers.

Senator Pope renewed his motion to go into Committee of the Whole on the resolution of Senator Claiborne.

Carried.

The President called Senator Pope to the Chair, and the Senate went into Committee or the Whole.

IN THE SENATE

Senator Pope reported that he was instructed by the Committee of the Whole, which had Senate resolution No. 2 under consideration, to report progress and to ask leave to sit again next Friday, the twenty eighth instant, for the further consideration of the resolution.

The report was adopted.

Senator Upshaw moved that the Senate take a recess until 12 o'clock. Carried.

12 M.

The President called the Senate to order.

Senator Terrell moved that the Senate retire to the Hall of Representatives to ballott for United States Senator,

Carried.

IN JOINT SESSION.

Roll called.

Quorum present.

Nominations for United States Senator being declared in order.

Senator Bell nominated Hon. A. W.

Senator Pope nominated Hon. John Ireland.

Senator Lane nominated Hon. John H. Reagan.

Senator Houston nominated Hon. S.

The following is the result of the

ballots:

Senators. Abercrombie Allen Armistead Bell Bell Burgos Burney Calhoun Camp Claiborns Davis Douglass of Jefferson county Field Frank Garrison Glasscock Gregg Hearrison Houston Jarvis Knittle Lane McD-nald MacMarus Pope Pope Simkins		1 1 1	Rengan.	1 1	1	Senators. Abercrombie. Allen. Armistead. Bell. Burge- Burney. Calhoun. Camp. Claiborne Davis. Douglass of Jefferson. Douglass of Grayson. Field. Frank Garrison. Glascock Gregg.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		I l l l l l l l l l l l l l l l l l l l	Shepard
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Field Frank Garrison Glassceck Gregg Harrison Houston Javis Knittle Lane McDonald McManus Pope Simkins Stinson Terrell Upshaw	1 1 1 1 1 1 1 1 1	1	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1	1	Garrison Glasscock Gregg Harrison Houston Jarvis Knittle Lane McDonald MacManus Pope Sinkins Stinson Terrell Upshaw	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1	1 l 1 1	
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Field. Frank Garrison Glassceck Gregg. Harrison Houston Jarvis. Knittle Lane McDonald McManus. Pope Sinkins Stinson Terrell Upshaw Woods.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1	1	1	1	Garrison Gassock Gregg Harrison Houston Jarvis Knittle Lane McDonald MacManus Pope Simkins Stinson Terrell Upshaw Woods	1 1 1 1 1 1	1	1 1 1	

The name of Hon. A. W. Terrell was withdrawn after the second ballot.

Senator Frank moved that the joint session adjourn, and that the Senate retire to the Senate Chamber.

Carried by the following vote.

YEAS-24.

Armistead, Houston, Bell, Jarvis, . Burges, Knittle, Burney, Lane, McDonald, Calhoun, Camp, MacManus, Douglass of J. Pope, Douglass of G, Simkins, Field. Stinson, Frank, Upshaw, Garrison, Woods. Woodward. Glasscock.

NATS- 6. Gregg, Apercrombie, Claiborne, Harrison, Davis, Terrell,

IN THE SENATE.

Senator Terrell moved that the Senate stand adjourned till to-morrow morning at 10 o'clock.

Carried.

FIFTEENTH DAY.

SENATE CHAMBER, Austin, Texas, January 27, 1887. The Senate met pursuant to adjourn-

Lieutenant Governor Wheeler in the

chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot. On motion of Senator McDonald, The reading of the Journal of yester-

day was dispensed with.

Senator McDonald asked to have the Journal corrected, to show that he and Senators Harrison, Aber crombie and Sinson wished to have their reasons spread on the Journal for voting "nay" and not "aye" on the drouth relief bill.

Senator Abercrombie changed his vote to "aye" to place the bill in im-

mediate effect.

(Journal corrected.)

Senator Woods asked to have the Journal corrected, to read Senator "Woods" and not "Wood," which mistake occurred in several places.

(Journal corrected).

Senator Glascock arose to a question of personal privilege, saying he voted twice in joint session for Judge Terrell for the United States Senate, and asked to have Journal so corrected.

BY SENATOR UPSHAW:

Petition from city council of Bryan, in reference to hiring out of city convicts

BY SENATOR HARRISON:

Protest from citizens of twentysecond Senatorial district against passage of the telephone bill.

Read and referred to Committee on

Internal Improvements.

BY SENATOR MACMANUS:

Same from citizens of Laredo. Same committee.

Also same from citizens of Eagle Pass. Same committee.

BY SENATOR ABERCROMBIE:

Same from citizens of city of Houston. Same committee.

REPORTS OF STANDING COM-MITTEES.

BY SENATOR FRANK.

COMMITTEE ROOM, AUSTIN, January 26, 1887.)
Hon. T. B. Wheeler, President of the Senate:

Sir-Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 2, being "An act to be entitled 'an act to restore to and confer upon the county courts of Live Oak, Karns and Throckmorton counties the civil and criminal jurisdiction heretofore belonging to said courts under the Constitution and General Statutes of the State, to conform the jurisdiction of the district courts of said counties to such change, and to repeal all laws in conflict with the provisions of this act," and find the same correctly engrossed.

FRANK, chairman.

BILLS AND RESOLUTIONS.

BY SHNATOR FRANK:

A bill to be entitled "An act to turn over to the Regents of the State University the University lands."